



**Land Use Application**  
County of Hyde, North Carolina

Depending upon the type of proposal, the proposal may require Subdivision and/or Ocracoke Development Ordinance approval. This form is used as the start of the application process. All applicants must submit a site plan (see "Minimum Site Plan Requirements").

Please consult the Code Enforcement Office (1-252-926-4372) with any questions about your application.

**PLEASE PRINT OR TYPE**

**Applicant's Name:** \_\_\_\_\_

If the Applicant is acting as agent for another person (the "principal"), please give that person's name on the line below and submit a copy of the agency agreement/letter with this Application.

\_\_\_\_\_

**Applicant's Mailing Address:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Daytime Phone Number:** (\_\_\_\_\_) \_\_\_\_\_

**Street Address Location of Property:** \_\_\_\_\_

**General Description of Proposal:** \_\_\_\_\_

*I swear or affirm that the foregoing information and all attachments hereto (now or subsequently provided as part of this application) are true and correct to the best of my knowledge.*

**Signed:** \_\_\_\_\_

**Dated:** \_\_\_\_\_

*\* Information to be filled out by Code Enforcement Department*

**\*Flood Zone (from FIRM Map):** \_\_\_\_\_

**\*Taxes paid? Yes \_\_\_\_\_ No \_\_\_\_\_**

**Please Do Not Write in this Box**

PIN: \_\_\_\_\_

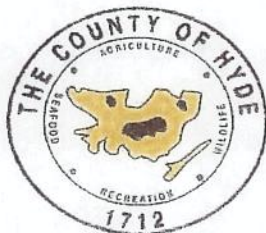
LUA# \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Date Received: \_\_\_\_\_

Received by: \_\_\_\_\_

Township: \_\_\_\_\_

Fee Paid \$ \_\_\_\_\_



## OCRACOKE DEVELOPMENT PERMIT APPLICATION



DATE \_\_\_\_\_

PERMIT NUMBER \_\_\_\_\_

APPLICANT'S NAME: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

PHYSICAL ADDRESS OF THE PROPERTY: \_\_\_\_\_  
(IF NO PHYSICAL ADDRESS A 911 APPLICATION MUST BE FILLED OUT AND  
SUBMITTED)

NEXT PHYSICAL ADDRESS CLOSEST TO THE LOCATION: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_

OWNER'S NAME \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_

**PERMIT TYPE (CIRCLE ONE):**

SINGLE FAMILY, DUPLEX, TOWNHOUSE, CONDO, APTS, MODULAR, TIME-SHARE, CO-OP,  
MANUFACTURED, COMMERCIAL, INDUSTRIAL, ADDITION, NEW, RELOCATION,  
EXCAVATION, FILL, ALTERATION, REPAIR, GRADING, ACCESSORY STRUCTURE,  
TEMPORARY STRUCTURE, CAMPER, TRAVEL TRAILER, CHANGE OF USE, HOTEL, MOTEL, INN,  
COTTAGE, RENTAL PROPERTY, PIER, DOCK, BULK HEAD, STORE, CAMPGROUND,  
RESTAURANT, ADULT BUSINESS, OFFICE, SEAFOOD ESTABLISHMENT.

Signature : \_\_\_\_\_



IF HOTEL, MOTEL, INN, COTTAGE OR OTHER LODGING ESTABLISHMENT THE NUMBER OF HOUSE KEEPING UNITS THE BUILDING CAN ACCOMMODATE: \_\_\_\_\_

THE NUMBER OF FAMILIES THE BUILDING CAN ACCOMMANDATE: \_\_\_\_\_

THE NUMBER OF RENTAL UNITS THE BUILDING CAN ACCOMMANDATE: \_\_\_\_\_

IS THE SEWAGE DISPOSAL APPROVED OF BY THE HYDE COUNTY HEALTH DEPARTMENT: \_\_\_\_\_

IF SO A COPY OF THE PERMIT MUST ACCOMPANY THIS APPLICATION

DOES THE PROPERTY HAVE CITY WATER: \_\_\_\_\_

IF SO A LETTER MUST ACCOMPANY THIS APPLICATION

### **SQUARE FOOTAGE OF THE LOT**

*MINIMUM LOT SIZE SHALL BE SUFFICIENT TO MEET THE REQUIREMENTS OF THE COUNTY HEALTH DEPARTMENT AND TO PROVIDE FOR ADEQUATE PLACEMENT OF STRUCTURES AND NECESSARY PARKING SPACES BUT NOT LESS THAN:*

*SINGLE FAMILY AND TWO FAMILY RESIDENCES INCLUDING THOSE WITH 400 SQUARE FEET OF FLOOR AREA IN COMMERCIAL USE:*

*5000 SQUARE FEET EXCEPT FOR UNDEVELOPED LOTS OF LESS THAN 5000 SQUARE FEET IN EXISTENCE ON APRIL 21, 1986:*

*THE APPLICANTS LOT SIZE IS: \_\_\_\_\_*

*WAS IT UNDEVELOPED AND IN EXISTENCE ON APRIL 21, 1986: \_\_\_\_\_*

*IF THE APPLICANT IS PLANNING ON BUILDING MORE THAN ONE SINGLE FAMILY RESIDENCE IS THE LOT SIZE 10,000 SQUARE FOOT OR GREATER: \_\_\_\_\_*

*IF SO WHAT SIZE IS THE LOT: \_\_\_\_\_*

*DOES IT MEET THE REQUIREMENTS OF THE OCRACOCKE DEVELOPMENT ORDINANCE: \_\_\_\_\_*

*DOES THE LOT INCLUDE 5000 SQUARE FEET MINIMUM PER RESIDENCE: \_\_\_\_\_*

*DOES THE LOT HAVE A MINIMUM OF 16 FEET BETWEEN MAIN STRUCTURES: \_\_\_\_\_*

*WHICH OF THE FOLLOWING DOES THIS LOT SIZE FIT INTO?*

*THE LOT SIZE SHALL BE 7500 SQUARE FEET FOR ANY BUILDINGS USED FOR ANY PURPOSE OTHER THAN SINGLE FAMILY OR TWO FAMILY RESIDENCES WITH LESS THAN 1500 SQUARE FEET OF FLOOR AREA.*

*THE LOT SIZE IS: \_\_\_\_\_*

*THE LOT SIZE SHALL BE 10,000 SQUARE FEET FOR ANY BUILDINGS USED FOR ANY PURPOSE OTHER THAN SINGLE FAMILY OR TWO FAMILY RESIDENCES WITH LESS THAN 3000 SQUARE FEET OF FLOOR AREA BUT MORE THAN 1500 SQUARE FEET OF FLOOR AREA.*

*THE LOT SIZE IS: \_\_\_\_\_*



THE LOT SIZE SHALL BE 25,000 SQUARE FEET FOR ANY BUILDINGS USED FOR ANY PURPOSE OTHER THAN SINGLE FAMILY OR TWO FAMILY RESIDENCES WITH MORE THAN 3000 SQUARE FEET OF FLOOR AREA.

THE LOT SIZE IS: \_\_\_\_\_

**SQUARE FOOTAGE OF THE BUILDING**

WHAT IS THE SQUARE FOOTAGE OF EACH BUILDING ON THE LOT: \_\_\_\_\_

WHAT IS THE SQUARE FOOTAGE OF THE PROPOSED STRUCTURE: \_\_\_\_\_

WHAT IS THE SQUARE FOOTAGE OF THE EXISTING BUILDING: \_\_\_\_\_

IS THERE MORE THAN 1 FLOOR, IF SO WHAT IS THE SQUARE FOOTAGE OF THE 2<sup>ND</sup> STORY:

\_\_\_\_\_

**PARKING SPACES:**

*RESIDENTIAL: 1 PER BEDROOM*

THE APPLICANT HAS PROVIDED \_\_\_\_\_ SPACES FOR THIS PROPERTY AT THIS LOCATION: \_\_\_\_\_

*MOTELS, INNS HOTELS AND OTHER BUILDINGS DESIGNED TO ACCOMMODATE THREE OR MORE FAMILIES SHALL PROVIDE 1.5 SPACES FOR EACH LODGING UNIT AND 1 SPACE FOR EACH BEDROOM WITHIN THE DWELLING UNIT.*

THE APPLICANT HAS PROVIDED FOR \_\_\_\_\_ SPACES FOR THIS PROPERTY AT THIS LOCATION: \_\_\_\_\_

*RESTAURANTS SHALL PROVIDE 1 SPACE FOR EACH 4 SEATS.*

THE APPLICANT HAS PROVIDED \_\_\_\_\_ SPACES FOR THIS PROPERTY AT THIS LOCATION: \_\_\_\_\_

*ALL OTHER COMMERCIAL STRUCTURES, HOME OCCUPATIONS OR COTTAGE INDUSTRIES WITH UP TO 200 SQUARE FEET OF FLOOR AREA SHALL PROVIDE 2 SPACES.*

THE APPLICANT HAS PROVIDED \_\_\_\_\_ SPACES FOR THIS PROPERTY AT THIS LOCATION: \_\_\_\_\_

*FOR EACH ADDITIONAL 200 SQUARE FEET OF FLOOR AREA 1 SPACE SHALL BE PROVIDED.*

THE APPLICANT HAS PROVIDED \_\_\_\_\_ SPACES FOR THIS PROPERTY AT THIS LOCATION: \_\_\_\_\_

*BOAT SLIP OWNERS SHALL PROVIDE PARKING SPACE FOR SERVICE AND LOADING.*



BOAT SLIP OWNER SHALL PROVIDE USERS OF THE BOAT SLIPS PARKING ON SITE OR ELSEWHERE.

THE APPLICANT HAS PROVIDED \_\_\_\_\_ SPACES FOR THIS PROPERTY AT THIS

LOCATION: \_\_\_\_\_

**SET BACKS:**

*\* MINIMUM SET BACK FROM PROPERTY LINES, PUBLIC RIGHTS OF WAY AND ALL BODIES OF WATER FOR SINGLE FAMILY, TWO FAMILY RESIDENCES INCLUDING THOSE WITH LESS THAN 400 SQUARE FEET OF FLOOR AREA IN COMMERCIAL USE SHALL BE 8 FEET ON THE FRONT SIDE AND REAR.*

THE APPLICANT HAS: \_\_\_\_\_ FRONT \_\_\_\_\_ REAR  
\_\_\_\_\_ SIDES

*MINIMUM SET BACKS FROM PROPERTY LINES, PUBLIC RIGHTS OF WAY AND ALL BODIES OF WATER FOR BUILDINGS USED FOR ANY OTHER PURPOSE THAN SINGLE FAMILY OR TWO FAMILY RESIDENCES INCLUDING THOSE WITH LESS THAN 1500 SQUARE FEET OF FLOOR AREA. THE SET BACKS SHALL BE: 30 FEET ON THE FRONT, 10 FEET ON THE SIDES AND REAR.*

THE APPLICANT HAS: \_\_\_\_\_ FRONT \_\_\_\_\_ REAR  
\_\_\_\_\_ SIDES

*MINIMUM SET BACKS FROM PROPERTY LINES, PUBLIC RIGHTS OF WAY AND ALL BODIES OF WATER FOR BUILDINGS USED FOR ANY OTHER PURPOSE THAN SINGLE FAMILY OR TWO FAMILY RESIDENCES INCLUDING THOSE WITH LESS THAN 3000 SQUARE FEET BUT MORE THAN 1500 SQUARE FEET OF FLOOR AREA. THE SET BACKS SHALL BE: 30 FEET ON THE FRONT, 10 FEET ON THE SIDES AND REAR.*

THE APPLICANT HAS: \_\_\_\_\_ FRONT \_\_\_\_\_ REAR  
\_\_\_\_\_ SIDES

*MINIMUM SET BACKS FROM PROPERTY LINES, PUBLIC RIGHTS OF WAY AND ALL BODIES OF WATER FOR BUILDINGS USED FOR ANY OTHER PURPOSE THAN SINGLE FAMILY OR TWO FAMILY RESIDENCES INCLUDING THOSE WITH MORE THAN 3000 SQUARE FEET OF FLOOR AREA. THE SET BACKS SHALL BE: 30 FEET ON THE FRONT, 20 FEET ON THE SIDES AND REAR.*

THE APPLICANT HAS: \_\_\_\_\_ FRONT \_\_\_\_\_ REAR  
\_\_\_\_\_ SIDES

*MINIMUM DISTANCE BETWEEN STRUCTURES ON A LOT. THE SET BACKS SHALL BE: 8 FEET ON THE FRONT, SIDES AND REAR FOR ALL SIZES OF FLOOR AREAS.*

THE APPLICANT HAS: \_\_\_\_\_ FRONT \_\_\_\_\_ REAR  
\_\_\_\_\_ SIDES

*\*\*MAXIMUM HEIGHT FOR ALL STRUCTURES IS 35 FEET.*



WHAT IS THE HEIGHT OF THIS STRUCTURE: \_\_\_\_\_

DOES THE STRUCTURE HAVE ANY CHIMNEYS, ANTENNAS OR WEATHER INSTRUMENTS ATTACHED?

IF SO WHAT IS THEIR HEIGHT: \_\_\_\_\_

DOES THE TOTAL HEIGHT OF THE BUILDING AND OTHER EXEMPTED STRUCTURES EXCEED 40 FOOT: \_\_\_\_\_

*MAXIMUM LOT COVERAGE BY ALL STRUCTURES AND ANY SURFACE IMPERVIOUS TO WATER SHALL NOT EXCEED 50% FOR ALL SQUARE FOOTAGES OF STRUCTURE AREA.*

WHAT IS THE PERCENTAGE OF IMPERVIOUS SURFACE AREA ON THE LOT: \_\_\_\_\_

*THE PRIMARY ROOF OF A MAIN STRUCTURE SHALL HAVE A MINIMUM SLOPE OF 4" PER FOOT. THIS REQUIREMENT SHALL APPLY TO ACCESSORY STRUCTURES OVER 15 FEET IN HEIGHT AS MEASURED FROM 8 FEET LESS 3 FEET OF THE BUILDING SITE AS SHOWN ON THE ELEVATION CERTIFICATE. THE PRIMARY ROOF OF A MAIN STRUCTURE IS THAT WHICH SHELTERS THE MAJOR PERCENTAGE OF HEATED SPACE WITHIN THE STRUCTURE.*

WHAT IS THE SLOPE OF THIS STRUCTURE'S ROOF: \_\_\_\_\_

*WHERE THE RIGHT OF WAY IS IN EXCESS OF 100 FEET THE MINIMUM SET BACK TO ANY PART OF THE STRUCTURE SHALL BE FIVE FEET.*

DOES THE STRUCTURE MEET THIS SET BACK: \_\_\_\_\_

\*EXEMPTION FROM THE WATER SET BACK REQUIREMENT ARE STRUCTURES NOT EXCEEDING 256 SQUARE FEET IN TOTAL FLOOR AREA AND NOT EXCEEDING 15 FEET IN HEIGHT AND USED PERMANENTLY AND PRIMARILY TO PROTECT, STORE, BUILD OR REPAIR BOATS, NETS AND OTHER FISHING OR WATER RELATED EQUIPMENT OF THE LAND OWNER.

DOES THE APPLICANT HAVE THIS EXEMPTION: \_\_\_\_\_

WHAT IS THE TOTAL SQUARE FOOTAGE IN FLOOR AREA: \_\_\_\_\_

WHAT IS THE HEIGHT OF THE STRUCTURE: \_\_\_\_\_

\*FENCES, BULKHEADS, DRIVEWAYS, BOARDWALKS NOT EXCEEDING 5 FEET IN WIDTH AND 1 FOOT IN HEIGHT AND OTHER LIKE STRUCTURES ARE EXEMPTED FROM SET BACK REQUIREMENTS.

DOES THE APPLICANT HAVE THIS EXEMPTION: \_\_\_\_\_

WHAT LENGTH AND HEIGHT ARE THE STRUCTURES: \_\_\_\_\_

\*\*NO STRUCTURE OR APPURTENANCE ATTACHED TO ANY STRUCTURE EXCEPT CHIMNEYS, ANTENNAS AND WEATHER INSTRUMENTS SHALL EXCEED THE 35 FOOT MAXIMUM BUILDING HEIGHT AND NO EXEMPTED STRUCTURE SHALL EXCEED 40 FEET.

### PLOT PLAN OF THE LOT

ALL APPLICATIONS MUST HAVE A PLOT PLAN OF THE LOT, SHOWING THE SHAPE, NAMES OF THE ROAD ON WHICH IT IS TO BE LOCATED.  
THE DIMENSIONS OF THE PROPERTY.

THE PLOT PLAN MUST BE DRAWN TO SCALE AND THE SCALE SHOWN.  
THE LOCATION AND SIZES OF ANY BUILDINGS THAT ARE PRESENTLY LOCATED ON THE LOT AND ANY ALTERATIONS MUST BE ON THE PLOT PLAN AND SHOWN TO SCALE.  
IF PARKING PLACES ARE REQUIRED, THE REQUIRED NUMBER AND WHERE THEY ARE TO BE LOCATED ON THE PLOT PLAN.  
THE TOTAL AREA OF PARKING REQUIRED IS TO BE SHOWN ON THE PLOT PLAN.  
ANY AND ALL SURFACES THAT ARE IMPERVIOUS TO WATER MUST BE SHOWN ON THE PLOT PLAN.  
IF THE PROPERTY IS LOCATED ADJACENT TO A BODY OF WATER OR MARSH AREA, THE DISTANCE FROM THE DEVELOPMENT TO THE BODY OF WATER OR MARSH AREA MUST BE SHOWN ON THE PLOT PLAN.  
DISTANCE FROM THE PROPOSED DEVELOPMENT TO ALL PROPERTY LINES AND/OR RIGHT OF WAYS.  
FULL SET OF STRUCTURAL DRAWINGS.

### **SECTION DRAWING**

SHOW BY DIMENSION THE ELEVATION OF THE FIRST FLOOR FROM THE AVERAGE GRADE OF THE PROPERTY.  
SHOW THE HEIGHTS OF ADDITIONAL FLOORS AND THE ROOF.  
SHOW ANY ALLOWABLE STRUCTURE PROPOSED TO EXTEND ABOVE THE ROOF LINE, WITH THEIR DIMENSIONS AND HEIGHT.

### **CAMA PERMITS**

OBTAIN A CAMA PERMIT IF THE DEVELOPMENT IS LOCATED WITHIN 75 FEET OF ANY SHORELINE, CANAL, WATERWAY OR MARSH.

### **ELEVATION CERTIFICATE**

BEFORE A CERTIFICATE OF OCCUPANCY CAN BE WRITTEN A FINAL ELEVATION CERTIFICATE MUST BE MADE.



# OCRACoke VILLAGE DEVELOPMENT ORDINANCE GENERAL APPLICATION FORM

Application No. \_\_\_\_\_ Date \_\_\_\_\_

Relief Requested:      Appeal \_\_\_\_\_ Variance \_\_\_\_\_

Applicant \_\_\_\_\_ Owner \_\_\_\_\_

Mailing Address \_\_\_\_\_

Physical Address \_\_\_\_\_

Telephone \_\_\_\_\_

Legal Relationship of Applicant to Property Owner \_\_\_\_\_

Tax Map \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Lot Size \_\_\_\_\_ Total Number of Parking Spaces \_\_\_\_\_

Number of Buildings to Remain \_\_\_\_\_ Gross Floor Area to Remain \_\_\_\_\_

Number of Buildings Proposed \_\_\_\_\_ Gross Floor Area of Proposed Bldgs. \_\_\_\_\_

Total Square Footage of Land to be Covered by All Structures and Surfaces Impervious  
to Water \_\_\_\_\_

Estimated Cost of Project \_\_\_\_\_

Attach Plot Plan Showing All of the Above Condition.

\_\_\_\_\_  
Signature of Applicant



Application No. \_\_\_\_\_

### APPLICATION FOR A VARIANCE

Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_

TO THE OCRACOCKE VILLAGE BOARD OF ADJUSTMENT:

I, \_\_\_\_\_ hereby petition the Board of adjustment for a VARIANCE from the literal provisions of the Ocracoke Village Development Ordinance because, under the interpretation given to me by the Building Inspector, I am prohibited from using the parcel of land described in the attached form (General Application Form) in a manner shown by the plot plan attached to that form. I request a variance from the following provisions of the ordinance (cite Paragraph numbers):

\_\_\_\_\_  
so that the above-mentioned property can be used in a manner indicated by the plot plan attached to the General Application Form or, if the plan does not adequately reveal the nature of the variance, as more fully described herein: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act, the Board is required to reach three conclusions before it may issue a variance: (a) that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance; (b) that the variance is in harmony with the general purposes and intent of the ordinance and preserves its spirit; and (c) that in granting the variance, the public safety and welfare have been assured and substantial justice has been done. In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to make to convince the Board that it can properly reach these three required conclusions.

a. THERE ARE PRACTICAL DIFFICULTIES OR UNNECESSARY HARDSHIPS IN THE WAY OF CARRYING OUT THE STRICT LETTER OF THE ORDINANCE. The courts have developed three rules to determine whether in a particular situation "practical difficulties or unnecessary hardships" exist. State facts and arguments in support of each of the following:

(1) If he complies with the provisions of the ordinance, the property owner can secure no reasonable return from, or make no reasonable use of his property. (It is not sufficient that failure to grant the variance simply makes the property less valuable.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



(2) The hardship of which the applicant complains results from unique circumstances related to the applicant's land. (Note: Hardships suffered by the applicant in common with his neighbors do not justify a variance. Also, unique personal or family hardships are irrelevant, since a variance, if granted, runs with the land.) \_\_\_\_\_

(3) The hardship is not the result of the applicant's own actions. \_\_\_\_\_

b. THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE AND PRESERVES ITS SPIRIT. (State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood.) \_\_\_\_\_

c. THE GRANTING OF THE VARIANCE SECURES THE PUBLIC SAFETY AND WELFARE AND DOES SUBSTANTIAL JUSTICE. (State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the applicant.) \_\_\_\_\_

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

\_\_\_\_\_  
Signature of Applicant